

Trust or Treachery

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From the pages of a newspaper the face looked out me. An old man sat on the edge of his bed, feet dangling on the dirt floor of his shack in a Tennant Creek camp in Australia's Northern Territory. He was blind and alone except for his dogs. The paper said his name was Nicky Nothing. Old man, I said, how many like you do we know and why have we never heard your voice?

It is this that I ask Australia half way through the term in office of Prime Minister Kevin Rudd's Government. After all that has happened and has not happened for Nicky and all the rest, is it possible to close the space between black and white Australians?

If you answer 'no' then Australia is doomed to fall short of greatness. Our answer must be 'yes'. Yes, there is still a long road ahead, a hard struggle and a lot of hard work to be done. Yes, this will take patience and persistence. And yes, each one of us has a responsibility to speak up against racism and discrimination in any form.

What is missing now in the relationship between black and white Australians is trust. Instead of trust, there is a very old pattern of treachery in Australia's relationship with its Indigenous people. Every time a promise is made, a law passed or a hand held out in friendship, we seem to betray those good intentions.

Australia took such a very long time to recognize the most fundamental human rights of its Indigenous citizens but soon after we abandoned them to second-class citizenship. We may have stopped classing Aboriginal people as flora and fauna but we forgot that they were human when we removed their children from their families. It took Australia almost two centuries to recognize Aboriginal ownership of the land but as fast as we could we unpicked the Wik and Mabo High Court judgements and appealed against the Native Title settlements. We treated Aboriginal people like lowly servants and then quibbled over the stolen wages. We paid lip service to the right of Indigenous people to speak their languages and pursue their ancient Cultures but relentlessly for more than a decade government policy and so much media has waged war on the value of Aboriginal Culture. As the Indigenous educator, Dr Chris Sara put it recently, there is one prevailing narrative in which "Western influence is seen as progressive and good, and the enemy is Culture and tradition."

The great danger of this relentlessly negative assault by one party against the other in the Australian black-white relationship is that it avoids the truth. One side is blindly refusing to look at the evidence. One side is still refusing to listen.

There is overwhelming evidence both here and in the most hopeful Indigenous societies overseas that an essential facet of well being for everyone is creating the

strong and positive environment of Cultural security. An indispensable feature of the social determinants that constitute our health status are that sense of control over our destiny, the knowledge of who we are and the feeling that we are valued. Consider Professor Steven Cornell's body of evidence on Native American development where he concludes that "perhaps the greatest development asset Indian nations possess is sovereignty, the power to make decisions about their own futures."

In Australia we still fail to trust Aboriginal people to make critical decisions about their future. In Alice Springs we refuse to allow Aboriginal people to manage the promised new housing even though after two years of the Federal Government's Intervention we are yet to see a single new house built under that disastrous grab for control. Without question the Intervention is the most ill considered Government policy inflicted on Aboriginal people since the Stolen Generation. The pain inflicted on the psyche of men much younger than Nicky Nothing will be long lasting. Can any of our federal politicians who voted for this extraordinary discrimination and abuse of rights, put themselves in the shoes of all those men and women who have been judged enmasse to have failed their families, abused their children and surrendered any claim to a choice about their future?

We need to remind ourselves that Aboriginal people have the lawful right to control of their lands. If we end our hypocrisy, dare I say it...apologize once more and abandon the discriminatory aspects of the Intervention we will see that the law itself guides us on how to move forward to solve this troubling paradox in our relations.

There is a paradox in the relationship. While the Australian government created considerable hope and good will by promising to 'Close the Gaps', by apologizing to Aboriginal people for past injustices and by eventually committing support to the UN Declaration on Indigenous Rights, we are in danger of drifting back to the centuries old pattern of treachery. Essentially the treatment of Indigenous people by all governments, Federal, State and Territory, is patronising, discriminatory, assimilationist and in some glaring cases, unlawful.

Federal, State and Territory Governments keep promising consultation. But they arrange Community cabinet meetings and other staged expressions of consultation AFTER they have announced their major government policies. In other words, what Government continues to do is to impose social controls without any real engagement or influence by Aboriginal people. Clear examples are how the Federal Government has ignored or procrastinated over the recommendations of Peter Yu's very reasonable review of the Intervention and how the Northern Territory Government has ignored Pat Dodson's recommendation that there be far more study about the likely impacts on health and well being if Governments allow hundreds of remote Aboriginal communities to 'die like fruit on the vine'. Contemptuously ignoring Indigenous wisdom, experience and advice not only undermines any chance of an effective partnership, it is in some cases unlawful.

Clearly in the Northern Territory and beyond some government policies are not extending to Aboriginal people their legal rights. For two years Australia's government has persisted with selective, racial, welfare quarantining and other measures that are discriminatory. This is clearly against the same international laws that we have committed to honour as a nation. The Federal Minister's pledge to see

that the Racial Discrimination Act is reinstated in the Intervention legislation in October shows an ambivalence that verges on the treachery I speak of. After more than two years of this blatant discrimination the Government proposes to fiddle with the words so that discrimination would somehow be disguised as ‘special measures’ to benefit Aboriginal people. The truth is international law requires that Indigenous people have the right to decide whether or not they accept any such special measures, and as most were never consulted before these policies were announced, once more many feel confused, or worse, betrayed. Even Galarrwuy Yunupingu whom was reluctantly persuaded to support the rough edges of the Intervention as he put it, now states that he was misled, that it was forced onto Aboriginal communities, that it went over the head of most senior leaders, that it had brought “no new houses, no new roads, no new schools, no change on the ground”, just “control of people’s lives that is driving us crazy”. Pointedly he says leases like the one signed over his traditional lands take away Aboriginal rights on false promises. It is the pattern of political treachery that exhausts the spirit and goodwill of so many Aboriginal people and creates some of the deepest political differences and disunity.

Our federal politicians will be judged by history to have failed Aboriginal people and all Australians by passing laws that are blatantly discriminatory. As long as our government persists with threatening Aboriginal communities with compulsory acquisition unless they sign leases, threatening that they won’t get housing unless they sign leases, then our parliament fails all of us because we know Aboriginal people are being trampled on.

Trying to camouflage discrimination will not work Minister. For example, even if the Federal government were to allow some Aboriginal people to individually apply NOT to have their welfare money managed, this process would remain discriminatory so long as Aboriginal people had to sit across a desk and beg a white official not to touch their family money.

This mechanism could only be non-discriminatory if it returned to the pre-Intervention situation where some communities voluntarily organised to have some money set aside to save for a fridge or stove, or to handle food bills at the local store.

You don’t need a punitive, humiliating and massively damaging Intervention, you don’t need 5 year leases or 40 year leases, to work with Aboriginal people on any of their genuine needs.

The control mechanisms, the social engineering plans for 20 Northern Territory Growth Towns and the insistence that federal money for housing must be accompanied by a community’s willingness to sign a 40-year lease with the Australian Government, are a recipe for another era of pain and dysfunction.

If we are genuine about improving Aboriginal housing, health and education, if we believe in closing those gaps, then we must drop the threat of compulsory acquisition and the insistence on 40 plus 40 leases surrendering control of communities to federal government management.

Coercion, the evidence shows, will not work. Denying Aboriginal people control only delays the development of viable partnerships in all kinds of Indigenous organizations.

The answer is clear – we must listen and work with Aboriginal people and Aboriginal organizations, we must build trust - and together we can move on with the hard work of creating equality.

If Australia can find the spirit and heart, if we can trust Indigenous people, if we can listen, learn and draw closer, we will create the health and harmony that is an example to the whole world. I know we can do this together.

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Reading and References

“What can Tribes Do? Strategies and Institutions in American Indian Economic Development”, edited by Stephen Cornell and Joseph P. Kalt, American Indian Studies Centre, University of California.

“Where's the Glue? Institutional Bases of American Indian Economic Development”, Stephen Cornell and Joseph P. Kalt, Harvard Project on American Indian Economic Development. Harvard University 1991.

“Our Home, Our Homelands”, Patrick Dodson, report to Northern Territory Government 2009.

Galarrwuy Yunupingu quotations from Garma statement, August 2009.

Dr Ted Mala, Alaskan Native Medical Centre, Anchorage, Alaska, on role of Cultural control.

“Investing in the Early Years: Closing the Gap Between What We Know and What We Do Now.” Dr Fraser Mustard. <http://www.thinkers.sa.gov.au/fmustard.html>